

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: David Finney

Cr.: 99-101-01

Name of Sentencing Judicial Officer: Honorable Joseph A. Greenaway

Date of Original Sentence: 12-3-99

Original Offense: Possession of a Weapon by a Convicted Felon (18 U.S.C. § 922(g)(1))

Original Sentence: 96 months

Type of Supervision: Supervised Release

Date Supervision Commenced: 10-26-05

PETITIONING THE COURT

- [] To extend the term of supervision for Years, for a total term of Years.
[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant is to be confined to his residence for a period of 2 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.18 per day.

The defendant shall contribute 20 hours of community service work per week commencing on October 1, 2007. Such service shall be without compensation, with the specific work placement to be approved by the U.S. Probation Office. The defendant shall continue to contribute 20 hours of community service with said obligation to be discharged at the discretion of the U.S. Probation Office only after the defendant has either secured legitimate full-time employment; has otherwise commenced participation in an approved educational/vocational program; or has completed his term of supervised release; whichever comes first.

CAUSE

Finney was arrested on July 26, 2007, by the East Orange Police Department for Obstructing Public Passage, Possession of Marijuana and Possession of Marijuana within 500 feet of a Public Housing Complex. Finney sporadically works part time for a temporary agency.

JPJ

Respectfully submitted,

Kevin Villa

By: Kevin Villa
U.S. Probation Officer
Date: August 7, 2007

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other

JA [Signature]

Signature of Judicial Officer

8-28-07

Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

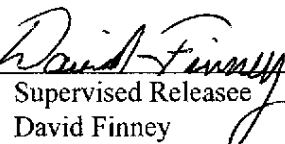
The defendant is to be confined to his residence for a period of 2 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.18 per day.

The defendant shall contribute 20 hours of community service work per week commencing on October 1, 2007. Such service shall be without compensation, with the specific work placement to be approved by the U.S. Probation Office. The defendant shall continue to contribute 20 hours of community service with said obligation to be discharged at the discretion of the U.S. Probation Office only after the defendant has either secured legitimate full-time employment; has otherwise commenced participation in an approved educational/vocational program; or has completed his term of supervised release; whichever comes first.

Witness:


U.S. Probation Officer
Kevin Villa

Signed:


Supervised Releasee
David Finney

8/9/07
DATE